

May 6, 2024

I am respectfully urging that H.687 can be amended in the following ways on the House floor or in conference committee:

First, in Sec. 114. EFFECTIVE DATES please insert the following:

Secs. 52 through 58 shall take effect on July 1, 2025.

[This will give communities time to update their zoning to comply with the new statutes.]

Second, in Sec. 52, please change the amendment as highlighted below:

(D) Bylaws shall designate appropriate districts and reasonable regulations for multiunit or multifamily dwellings. No bylaw shall have the effect of excluding these multiunit or multifamily dwellings from the municipality. In any district that allows year-round residential development, duplexes shall be ~~an allowed~~ a permitted use with the same dimensional standards as that are not more restrictive than is required for a single-unit dwelling, including no additional land or lot area than would be required for a single-unit dwelling. In any district that is served by municipal sewer and water infrastructure that allows residential development, multiunit dwellings with four or fewer units shall be a permitted use on the same size lot as single-unit dwelling on lots that are at least 1/3 of an acre in size with an allowed density of at least twelve units per acre, unless that district specifically requires multiunit structures to have more than four dwelling units.

Third, also in Sec. 52, please change the amendment as highlighted below:

(12) In any area served by municipal sewer and water infrastructure that allows residential development, bylaws shall establish lot and building dimensional standards that allow five or more dwelling units per acre for each allowed residential use, ~~and density.~~ Any lot that is smaller than one acre but granted a variance waiver of not more than 10 percent shall be treated as one acre for the purposes of this subsection. Density and minimum lot size standards for multiunit dwellings shall not be more restrictive than those required for single-family dwellings.

[The word “variance” has an official regulatory significance in 24 V.S.A. Ch. 117 that necessitates a test that is nearly impossible to pass. The word “waiver” would make this amendment more successful in the field.]

Thank you for the consideration.

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